

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**MONTRELL BURTON  
ADC #150775**

**PLAINTIFF**

**V.**

**CASE NO. 4:14-CV-317 BRW**

**LARRY JEGLEY, et al.**

**DEFENDANTS**

**ORDER**

Montrell Burton, formerly an inmate at the Pulaski County Regional Detention Facility, filed this lawsuit pro se, alleging that the Defendants violated his constitutional rights. (Docket entry #2) The Court previously dismissed several of Mr. Burton's claims, but allowed him additional time to identify and serve the Doe Defendant, who allegedly violated Mr. Burton's fourth amendment rights. The Court ordered Mr. Burton to identify and serve the Doe Defendant by October 20, 2014. (#10)

As of this date, Mr. Burton has not responded to the Court's July 8, 2014 Order requiring him to identify and serve the Doe Defendant. For this reason, he cannot proceed on his only remaining federal claim. Because there is no federal claim left in this lawsuit, the Court declines to exercise jurisdiction over Mr. Burton's state law tort claim against Defendant Holiday.

All of Mr. Burton's remaining claims are DISMISSED, without prejudice, for failure to comply with this Court's July 8, 2014 Order to timely identify and serve the Doe Defendant. See Local Rule 5.5 and FED. R. CIV. P. 4(m). The Clerk of the Court is directed to close this case.

IT IS SO ORDERED, this 9th day of January, 2015.

/s/ Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE